ORIGINATES

Case 3:05-cv-02100-M	Document 21 Filed 07/	led 07/13/06 Fage 1 of 3. DE TOURT COURT NORTHERN DISTRICT OF TEXAS		
IN TH	IE UNITED STATES DIST		FILED	
FOR 7	THE NORTHERN DISTRIC	CT OF TEXAS		
	DALLAS DIVISION	1	JUL 1 3 2006	
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	•	CLE	RK, U.S. DISTRICT C	OURT
LLOYD McCOG,	§ °	Ву		
Detition	8		Deputy	Mark Tal.

Civil Action No. 3:05-CV-2100-M

v.

DOUGLAS DREKTE, Director
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

ORDER ACCEPTING FINDINGS AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

United States Magistrate Judge Jeff Kaplan made findings and a recommendation in this case. Petitioner and Respondent filed objections, and the District Court has made an independent review of those portions of the proposed findings and recommendation to which objection was made. The Court hereby grants Respondent's objections and denies Petitioner's objections, and the Court accepts the Findings and Recommendation of the Court with the exception of the correction on page 6, line 13 where the word "insufficient" should read "sufficient."

IT IS, THEREFORE, ORDERED that the Findings and Recommendation of the United States Magistrate Judge are accepted.

IT IS FURTHER ORDERED that, as to Petitioner's claim of ineffective assistance of counsel on appeal, Petitioner did not prove that appellant counsel's performance fell below an objective

Case 3:05-cv-02100-M Document 21 Filed 07/13/06 Page 2 of 2 PageID 104 standard of reasonableness or that the allegedly substandard performance prejudiced Petitioner. *Strickland v. Washington*, 466 U.S. 668 (1984).

so ordered this 13th day of __

ARBARA M. G. LYNN

UNITED STATES DISTRICT JUDGE